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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LY, ANH VU H

ART UNIT PAPER NUMBER

2667

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/072,468	<b>Applicant(s)</b> STRATHMEYER ET AL.	
	<b>Examiner</b> Anh-Vu H. Ly	<b>Art Unit</b> 2667	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This communication is in response to applicant's amendment filed October 11, 2005.

Claims 1-21 are pending.

### ***Claim Objections***

2. Claims 1, 7, 13, and 17 are objected to because of the following informalities:

With respect to claim 1, in line 5, "the user" lacks antecedent basis.

With respect to claim 7, in line 15, "the communications transmission" should be changed to - -communication session- -.

With respect to claim 13, in line 6, "the user" lacks antecedent basis.

With respect to claim 17, in line 16, "the communications transmission" should be changed to - -communication session- -.

Appropriate correction is required.

3. Claim 12 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Dependent claims 6 and 12 claiming the same subject matter.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Crowther, J et al (EP 1,113,656). Hereinafter, referred to as Crowther.

With respect to claims 1-2, 7-8, 13-14, and 17-18, Crowther discloses in Figs. 6-8, the queuing mechanism of the multimedia queuing manager for queuing incoming messages (storing the communications transmissions according to the classification category assigned thereto) via the packet data network as shown in Fig. 5 (first communications processing device and second communications processing device being located separately from any of at least two nodes of the packet data network, assumed more than one caller and more than one customer, not shown in Fig. 5). Crowther discloses (col. 5, lines 54-57 and Fig. 2) that the pending requests queue 215 contains the pending requests, such as voice calls, emails, web forms, etc...(requests include control information such as questions need to be answered by the agents as desired by the calls or customers) at particular priority levels that are waiting to be answered by agents (establishing classification categories for a variety of communications transmissions effected via a packet data network). Crowther discloses (col. 8, lines 25-46) that call is queued into one of the prioritized skillsets according to the information provided by the caller such as caller's number, the 800 number used to call into the system, the number entered by the caller during a voice menu, e.g., customer number, social security number, etc...(the classification categories are established based on a classification system using priority categories according to requirements of the user). As illustrated in Figs. 6-8, incoming messages are prioritized in the pending queues (establishing priority sequencing guidelines for the classification categories). Crowther discloses in Fig. 5,

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messages received at the network interface 122 from the customer 260 via the network cloud 172 (receiving at least one communication transmission via the packet data network). Crowther discloses in Fig. 6 that an incoming email is queued in SalesEmail pending queue (assigning a classification category to the communications transmission). Crowther discloses in Figs. 4 and 5 that the caller of the PSTN network and/or the user of the network cloud is notified by sending a replied email or answering the request by the agent (reporting information via the packet data network indicative of the session to the first communications processing device from the second communications processing device).

With respect to claims 3-4, 9-10, 15, and 19, Crowther discloses in Figs. 6-8 that an email is presented to the agent (selecting and presenting one of the stored communications transmissions for presentation to a user).

With respect to claims 5, 11, 16, and 20, Crowther discloses in Fig. 4, once the call arrives at the PBX 120, the media gateway routes and connects the call to an agent (generating a signal to alert a user of the receipt of a communication).

With respect to claims 6, 12, and 21, Crowther discloses in Figs. 6-8, signals are generated to alert the agents of the incoming messages, wherein such messages are to be processed according to its priority (generating a separate signal for each classification category or user defined amalgamation of classification categories to alert a user of the receipt of a

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communication belonging to each said category or belonging to the user defined amalgamation of various classification categories).

***Response to Arguments***

5. Applicant's arguments filed October 11, 2005 have been fully considered but they are not persuasive.

Applicant argues in page 9 that the user as recited in claim 1 is the user of the system, which is analogous to the “agent” disclosed in Crowther. Therefore, Crowther does not disclose that the classification categories are established based on a classification system using priorities according to requirements of the “agent”.

Examiner respectfully disagrees. First of all, the “agent” of Crowther is not considered as the “user” as recited in claim 1 by the examiner. The “customers” or the “callers” are considered as the “users” by the examiner. Secondly, when a telephone call initiated by the caller, the call is queued in one or more prioritized skillsets according to the information provided by the caller such as caller’s number, 800 number used to call into the system 100, the number entered by the caller 250 during a voice menu, e.g., customer number, social security number and etc...(col. 8, 36<sup>th</sup> paragraph). Herein, the skillsets are established for queuing requests received from the customers and/or callers according to the information provided by the callers. Therefore, Crowther discloses all the claimed limitations as recited in claim 1.

*Conclusion*

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H. Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PERMISSORY PATENT EXAMINER  
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12/6/05